



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

May 31, 1991

Mr. Eduardo Miranda
Assistant City Attorney
The City of El Paso
2 Civic Center Plaza
El Paso, Texas 79999

OR91-254

Dear Mr. Miranda:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12298.

We understand that the requested bid proposal has been selected by the city from several submitted, but that negotiations with that bidder on the collection contract are still pending. We have considered the exception you claimed, specifically section 3(a)(4), and have reviewed the documents at issue. Section 3(a)(4) excepts from disclosure information which, if released, would give advantage to competitors or bidders. You say that release of the requested bid proposal would give advantage to other bidders in the event the contract with the successful bidder is not executed. We agree that you may withhold the requested proposal under section 3(a)(4). Please note, however, that section 3(a)(4) will serve to protect the requested bid proposal only until a contract is executed. *See* Open Records Decision No. 541 (1990).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-254.

Yours very truly,

A handwritten signature in dark ink, appearing to read "William Walker", is written over a horizontal line.

William Walker
Assistant Attorney General
Opinion Committee

WW/mc

Ref.: ID# 12298

Enclosure: Open Records Decision No. 541

cc: Mr. Rodney Baxter
1400 MBank Plaza
El Paso, Texas 79901-1443